

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figure 3. This sheet replaces the original sheet.

Attachment

Remarks/Arguments:

Objection to the Drawings

The drawings are objected to as not showing the "electronic analyzer" as described in the specification. Applicants respectfully submit that amended Figure 3 addresses the Examiner's concern. Specification paragraph [0028] has been amended to correspond to amended Figure 3. Applicants respectfully request withdrawal of this objection.

Objections to the Specification

The Abstract is objected to as containing the phrase "means." Applicants respectfully submit that the Abstract as amended addresses the Examiner's concern. Applicants respectfully request withdrawal of this objection.

The specification is objected to as referencing claims 10 and 11 in paragraph [0010]. Applicants respectfully submit that the specification as amended addresses the Examiner's concern. Applicants respectfully request withdrawal of this objection.

Claim Rejections Under 35 U.S.C. §102 and §103

Claims 13-15 and 24 stand rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,405,836 (Reith et al.). Claims 16, 18 and 21-23 stand rejected under 35 U.S.C. §103 as unpatentable over Reith et al. in view of PCT Publication No. WO03/020563 (Beuerle et al.) (with US2004/0163900 providing an English language equivalent). Claims 16-20 stand rejected under 35 U.S.C. §103 as unpatentable over Reith et al. in view of European Application No. EP0432122A2 (Adolfsson et al.). Applicant respectfully traverses these rejections.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." M.P.E.P. §2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success.

Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." M.P.E.P. §2143.

Independent claim 13 recites "[a]n actuating unit for an electromechanically actuated disc brake for use with automotive vehicles, ... wherein provided between the guide piece and the brake caliper or the gearbox housing connected to the brake caliper is a sensor device for sensing the reaction force resulting from the actuating force applied by the actuating unit, and wherein the sensor device is axially locked relative to the guide piece and axially locked relative to the brake caliper or the gearbox housing connected to the brake caliper."

Reith et al. is cited as teaching "the sensor device {23} is connected in a form locking manner (interpreted as press fitted) to the gearbox housing and to the guide piece 22, the sensor device is axially locked in the gearbox housing."

Applicants respectfully submit that Reith et al. does not teach or suggest such a configuration. Reith et al. only discusses the sensor device 23 at column 5, lines 63-67. Reith et al. states "[a]rranged between the bearing ring 22 and an annular supporting surface designed in the gear housing 19 is a force sensor 23 which is used to determine the clamping force generated by the actuating unit." Reith et al. is silent regarding axially locking of the force sensor to either component. Even assuming for argument sake that the force sensor 23 was press fit onto one of the components (gear housing 19 or bearing ring 22) as suggested in the Office Action, it could not also be press fit onto the other of the components (gear housing 19 or bearing ring 22) since such would prevent relative rotation between the gear housing 19 or bearing ring 22 as is intended in the device of Reith et al.

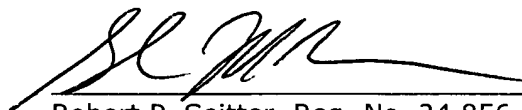
It is respectfully submitted that Reith et al. fails to teach or suggest each limitation of the claimed invention. None of the other cited references overcome the shortcomings of Reith et al.

It is respectfully submitted that independent claim 13 is in condition for allowance. Claims 15-23 and 25 each depend from claim 13 and are therefore allowable for at least the reasons set forth above.

It is respectfully submitted that each of the pending claims is in condition for allowance. Early reconsideration and allowance of each of the pending claims are respectfully requested.

If the Examiner believes an interview, either personal or telephonic, will advance the prosecution of this matter, the Examiner is invited to contact the undersigned to arrange the same.

Respectfully submitted,



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Attachments: Figure 3 (1 sheet)
Abstract

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